

## Message Text

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14

ACTION AID-31

INFO OCT-01 AF-08 ISO-00 EB-07 IGA-02 L-03 SS-15 SP-02

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P 281100Z JUL 76

FM AMEMBASSY NDJAMENA

TO SECSTATE WASHDC PRIORITY 1990

C O N F I D E N T I A L NDJAMENA 1985

E.O. 11652: GDS

TAGS: PDIP, EAID

SUBJECT: STATUS OF AID PERSONNEL IN CHAD

REF: N'DJAMENA 1262

1. EMBASSY RECEIVED NOTE JULY 27, DATED JULY 23, FROM MINISTRY OF FOREIGN AFFAIRS, ASKING FOR PRECISE POSITION OF LATEST AID ARRIVAL, MR. DAYTON MAXWELL, WHO HAD BEEN IDENTIFIED IN EMBASSY NOTE REQUESTING IDENTITY DOCUMENTS AS MEMBER ADMINISTRATIVE AND TECHNICAL STAFF OF EMBASSY. THE SAME NOTE WENT ON TO REQUEST THE EMBASSY TO SEND THE MINISTRY A LIST OF THE PERSONNEL OF US AID "IN ORDER TO PERMIT THE MINISTRY TO MAKE THE DISTINCTION BETWEEN THESE PERSONNEL AND THOSE OF THE EMBASSY".

2. AS DEPARTMENT AWARE, IN ABSENCE OF BILATERAL, THE EMBASSY HAS BEEN IDENTIFYING ALL PERMANENT AID PERSONNEL IN N'DJAMENA AS BEING MEMBERS OF THE EMBASSY STAFF. THE REASON FOR THIS, OF COURSE, HAS BEEN TO AVOID QUESTIONS OF DIPLOMATIC PRIVILEGE, INCLUDING IMMUNITIES.

3. SINCE THE EMBASSY AND CDO SUBMITTED TO MFA IN LATE APRIL A DRAFT ACCELERATED IMPACT PROGRAM (AIP) AGREEMENT, WHICH INCLUDES PROVISIONS FOR THESE MATTERS, AS AN OVERALL BASE FOR THE LATER SIGNATURE OF INDIVIDUAL IMPLEMENTATION LETTERS, MATTERS OF DIPLOMATIC PRIVILEGES, CUSTOMS PRIVILEGES, AND THE LIKE HAVE BEEN AMONG THE MAJOR POINTS OF NEGOTIATION. WE NOW HAVE HAD FOR SOME

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TWO WEEKS OVER ONE MILLION DOLLARS WORTH OF APPROVED INDIVIDUAL AID

PROJECTS. SOME OF THESE PROJECTS MUST BE IMPLEMENTED QUICKLY IF THEY ARE TO BE EFFECTIVE; THE MONEY MUST BE OBLIGATED IN THE CURRENT FISCAL YEAR. THIS HAS BEEN EXPLAINED NUMEROUS TIMES TO THE DIRECTOR OF INTERNATIONAL COOPERATION IN THE MINISTRY BY CDO NEGOTIATING TEAM MEMBERS. AS THERE HAS BEEN NO PROGRESS TOWARDS THE SIGNING OF THIS AGREEMENT IN THE LAST TEN DAYS, I HAVE TAKEN THE OCCASION TO SPEAK TWICE WITH THE DIRECTOR OF ECONOMIC AND FINANCIAL AFFAIRS IN AN EFFORT TO DETERMINE WHAT IF ANY BASIC PROBLEMS REMAIN. THE DIRECTOR HAS TOLD ME THAT HE FEELS THAT HE HAS GONE AS FAR AS HE CAN PERSONALLY IN THE NEGOTIATION OF THE AGREEMENT, AND HE HAS SUBMITTED THE AGREEMENT TO THE MINISTER FOR HIS CONSIDERATION. THE DIRECTOR ALSO SAID THAT THE GOC FEELS THIS AGREEMENT IS VERY IMPORTANT AS IT WILL SET A FUTURE PRECEDENT FOR AID/GOC COOPERATION. I HAVE TOLD THE DIRECTOR THAT THIS WAS UNDERSTANDABLE, BUT REMINDED HIM THAT WE COULD NOT LEAVE THIS MONEY UNUSED INDEFINITELY AND MUST EVENTUALLY RETURN IT TO WASHINGTON FOR USE ELSEWHERE IF IT SEEMS THE SIGNATURE OF THE OVERALL ACCORD WILL BE HELD UP FOR ANY GREAT LENGTH OF TIME.

4. COMMENT: I SEE THE ABOVE REQUEST FOR DIFFERENTIATION BETWEEN AID AND EMBASSY PERSONNEL AS A PART OF THE OVERALL PROBLEM WHICH INCLUDES THE AIP AGREEMENT. IT SHOULD BE NOTED ALSO THAT THE GOC HAS DECIDED TO REOPEN THE CASE OF AID EMPLOYEE VAL MAHAN WHO WAS INVOLVED IN A FATAL ACCIDENT (SEPTEL). MANY IF NOT MOST OF AID PERSONNEL CURRENTLY ON DUTY IN N'DJAMENA CAN NOT EASILY BE COVERED BY EXISTING AID/GOS PROJECT AGREEMENTS WHICH PROVIDE FOR DIPLOMATIC PRIVILEGES AND IMMUNITIES. THEREFORE, I BELIEVE (A) THAT WE SHOULD CONTINUE TO INSIST THAT AID PERSONNEL PERMANENTLY STATIONED IN N'DJAMENA WITH OFFICIAL OR DIPLOMATIC PASSPORTS ARE MEMBERS OF THE TECHNICAL AND ADMINISTRATIVE STAFF OF THE EMBASSY; (B) THAT THEY THEREFORE CONTINUE, AS THEY HAVE ALWAYS IN THE PAST, TO ENJOY DIPLOMATIC PRIVILEGES AND IMMUNITIES, AND (C) THAT IN THE FUTURE TECHNICIANS NOT DIRECT EMPLOYEES OF THE USG, EMPLOYED ON AID PROJECTS IN CHAD, WILL BE TREATED AS IS CALLED FOR IN THEIR INDIVIDUAL PROJECT AGREEMENTS OR AS MAY BE CALLED FOR IN SOME FUTURE BILATERAL AGREEMENT. RECOMMEND RESPONSE TO MINISTRY ALONG THESE LINES.

5. REQUEST GUIDANCE ASAP, AS PERSONAL STATUS OF MR. MAXWELL  
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AND FAMILY REMAINS IN DOUBT WITHOUT ISSUANCE OF CHADIAN  
IDENTITY DOCUMENTS. DWYER

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## Message Attributes

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**Disposition Approved on Date:**  
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